

Opinion: Public needs to know the government is watching

By Steve Kubby

Information released recently in a story by John Shiffman of Reuters explained how a secretive U.S. Drug Enforcement Administration unit is funneling information from intelligence intercepts, wiretaps, informants and a massive database of telephone records to authorities across the nation to help them launch criminal investigations of Americans.

Although these cases rarely involve national security issues, documents reviewed by Reuters show that law enforcement agents have been directed to conceal how such investigations truly begin – not only from defense lawyers but also sometimes from prosecutors and judges. The Reuters documents show that federal agents have been trained to “re-create” the investigative trail to effectively cover up where the information originated, a practice that some experts say violates a defendant’s constitutional right to a fair trial.



Steve Kubby

If defendants don’t know how an investigation began, they cannot know to ask to review potential sources of exculpatory evidence – information that could reveal entrapment, mistakes or biased witnesses.

The unit of the DEA that distributes the information is called

the Special Operations Division, or SOD. Two dozen partner agencies comprise the unit, including the FBI, CIA, NSA, Internal Revenue Service and the Department of Homeland Security. It was created in 1994 to combat Latin American drug cartels and has grown from several dozen employees to several hundred.

Today, much of the SOD's work is classified, and officials asked that its precise location in Virginia not be revealed. The documents reviewed by Reuters are marked "Law Enforcement Sensitive," a government categorization that is meant to keep them confidential.

"Remember that the utilization of SOD cannot be revealed or discussed in any investigative function," a document presented to agents reads. The document specifically directs agents to omit the SOD's involvement from investigative reports, affidavits, discussions with prosecutors and courtroom testimony. Agents are instructed to then use "normal investigative techniques to recreate the information provided by SOD."

With these new revelations by Reuters about the DEA's secret SOD program, we can see how any of us can be targeted – in secret – by agents who are trained to trigger a criminal investigation against anyone.

It happened to me and my family and it can happen to you as well. In our case, we believe we would never have been investigated had it not been for an anonymous letter sent to South Lake Tahoe law enforcement on July 2, 1998, during the final months of my campaign as the Libertarian Party nominee for governor of California.

According to former *Auburn Journal* City Editor Patrick McCartney, this anonymous letter may not have caught the attention of the North Tahoe Drug Task Force were it not for two key fabrications:

"First the letter claimed the authorities could 'expect to find 1,500 to 2,000 plants.' The exaggeration could have been a deliberate lie to pique the interest of federal DEA members of the Tahoe task force. For it is well known in criminal-justice circles that federal prosecutors are only interested in pursuing cases involving more than 500 or 1,000 plants in some jurisdictions.

"And then the second fabrication, one conceivably meant to play on the justice system's responsibility for protecting children from harm.'The other word going around is that he believes it is helpful to give pot to his two year old daughter on a regular basis.' What allegation could outrage a police officer more than the thought that some zealot would force marijuana on his child?

"The anonymous letter that launched the Kubby investigation was replete with innuendo and rumor, and overly aware of 'the astonishing fact that this person is running for California governor!

"Did the task force seek to confirm the allegation that Kubby was selling marijuana to support himself and his political campaign? No. The narcotics officers never sought to buy marijuana from Kubby. They never stopped anyone leaving the Kubby home and searched for marijuana. They never observed any trafficking activity whatsoever."

As a result of this anonymous letter, which we now believe was created by the DEA's SOD program, our family was subjected to a home invasion of 21 heavily armed officers, our accounts cleaned out, our office equipment seized, resulting in us becoming bankrupted, and charged with 19 felonies that would have resulted in sentences of 40 years to life had we been convicted. Thankfully a jury acquitted my wife. The jury refused to convict me on the marijuana charges, but I was convicted of felony possession of a mushroom stem and peyote button found in our guest bedroom.

Although this conviction was later dismissed by Judge David Nelson in Mendocino County, these covert actions nearly killed me and have damaged my family terribly. Despite the narrative about drug dealers, it was our family and my political activities that ended up being secretly surveilled and targeted by the feds.

As my 17 year old daughter said, "It's one thing to read about government surveillance, but it is another to have your life turned upside down by them."

Living here in Lake Tahoe can be a wonderful blessing, but our family has learned the hard way that all of us are under surveillance and even if you are walking the straight and narrow, the government can step on you and try to squish you like a bug. The good news is that it is still possible in this country to take your case before a jury and obtain justice.

As Thomas Jefferson so famously observed: "I consider Trial by Jury as the only anchor yet imagined by man, by which a government can be held to the principles of its constitution."

Steve Kubby is a resident of South Lake Tahoe.

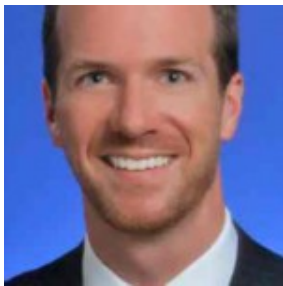
Opinion: Douglas County doing its part to preserve Tahoe

By Steve Mokrohisky

The future of Lake Tahoe's natural and built environment, as well as how best to protect its pristine waters, has been debated at length over the past several years. The conclusion of thousands of residents, visitors, businesses,

environmentalists, scientists, local governments and others who participated in the Tahoe Regional Plan update is that the status quo is unacceptable and the need to improve the environment, economy and community through redevelopment is imperative.

On Aug. 28, the Tahoe Regional Planning Agency Governing Board will consider approval of Douglas County's local area plan for the South Shore of Lake Tahoe. The new area plan is the first to be developed under TRPA's Regional Plan update, was created through years of extensive public engagement and encourages environmental redevelopment of existing buildings.



Steve
Mokrohisky

Leading the way as the first entity to propose a new local area plan, Douglas County has appropriately been held to the highest standard of environmental review and has welcomed the opportunity to gather public feedback, answer questions and engage in thoughtful dialogue about how to ensure the best local plan for the South Shore and the future of Lake Tahoe.

Despite broad public support and clear data detailing the environmental benefits of the new plan, a representative from the Sierra Club stated recently in a radio interview that "local governments can't be trusted to hold the line on development."

Unfortunately, inflammatory statements like this ignore the facts on the ground and offer no solutions to improve the environment. In the interest of transparent and thoughtful

public debate, let us consider the facts.

Strong record on the environment

Douglas County, its businesses and residents have a strong record of investment in environmental improvements. Nearly \$1.7 billion has been invested in environmental improvements at Lake Tahoe since 1997, including over 31 water quality and erosion control projects in Douglas County.

Eighteen percent of Lake Tahoe's shoreline resides in Douglas County, but only 3 percent of the fine sediment material that degrades the clarity of the lake originates in Douglas County – the least amount of runoff of any jurisdiction in the Tahoe basin.

In addition, Douglas County businesses and residents have some of the highest best management practice compliance rates in the Tahoe basin. As a result of these investments, the clarity of Lake Tahoe is already beginning to improve.

Beyond Lake Tahoe, Douglas County has protected over 15,000 acres in the Carson Valley and seeks to protect an additional 15,000 acres as part of its federal lands bill. The county has spent five years developing its lands bill, not because there is a bi-state regulatory agency requiring it to protect the environment, but rather because our local residents and local government have chosen environmental stewardship as the right thing to do for future generations.

We don't need more, we need better

The vast majority of future projects will be redevelopment of existing infrastructure, not new development. There is very little available private land to build on in Douglas County at Lake Tahoe, as only 16 percent of the land is in private ownership, only eight residential building allocations are allowed this year and only 36,250 square feet is available for new commercial projects.

Local businesses and lodging industry experts are often the first to remind us that we don't need more hotel rooms in the South Shore, as we already have thousands of tourist units with an average rate of less than \$100 and an annual occupancy rate of 28 percent. Many of these units should be relocated, redeployed or retired, thereby reducing the quantity and improving the quality.

Too much of the built environment at Lake Tahoe is blighted and has outlived its useful life, resulting in harm to the health of the natural environment. Private investment in redevelopment of existing buildings will allow residents and businesses to improve their properties, increase energy efficiency, reduce storm water runoff and enhance the economic and environmental quality in the Tahoe basin.

The Edgewood Lodge project is a great example of private investment that seeks to improve the environment by preventing 500,000 pounds of sediment per year from entering Lake Tahoe, restoring numerous acres of wetlands and improving recreational opportunities, while increasing the quality of lodging and economic vitality in the area. The environmentally beneficial redevelopment projects under the old Regional Plan have been exhausted. We need the new Regional Plan and local area plans that encourage environmental gain through redevelopment.

There is no question that thousands of people are unified in the strong desire to improve the environment through redevelopment at Lake Tahoe. There is also no question that open and thoughtful public debate supported by facts is at the cornerstone of our democracy.

So, the next time you hear someone claim that the new Regional Plan update and local area plans will result in harm to the environment, ask them for facts to support their claim, as well as solutions to improve the environment, economy and community. Those of us who live, work and play in Douglas

County are committed to keeping Lake Tahoe blue and turning our community green.

Steve Mokrohisky is county manager of Douglas County and served as Nevada's local government representative on the bi-state consultation group that facilitated solutions to the final draft of the Regional Plan update. This column is written on behalf of Douglas County and its Board of Commissioners.

Editorial: Feds need to leave California alone

Publisher's note: *This editorial is from the Aug. 5, 2013, Sacramento Bee.*

We Californians should overhaul our initiative system. We should update and perhaps scrap some initiatives California voters approved years ago.

Additionally, we Californians should take second looks at some of the environmental laws approved by past legislatures to make certain they make sense in 2013.

The operative words are "we Californians" – definitely not some United States senator from, of all places, Louisiana.

But as the *Los Angeles Times*' Evan Halper reported last week, Sen. David Vitter, R-La., and Sen. Frank Lautenberg, D-N.J., reached a compromise before Lautenberg died in which the U.S. Environmental Protection Agency would gain more authority to regulate chemicals.

Read the whole story

Opinion: A craft beer with a misguided message

By Deena Shanker, Salon

MillerCoors, the company behind Coors, Miller High Life and Miller 64, wants a little respect for its other, this-one-isn't-like-the-others stepchild, Blue Moon. Perhaps in a nod to Coors' frat-boy consumer base, the company message was summed up perfectly in a recent Bloomberg headline: "Blue Moon tells beer snobs to drink up and show respect." It's the kind of line you can imagine a frat brother telling an inductee, right before shoving a beer bong in his mouth and pouring cans of Coors Light into the funnel at the top.

Back in December 2012, the Brewers Association released new standards for breweries to call themselves makers of "craft" beer. They had to be "small," making no more than 6 million barrels of beer per year; "independent," meaning that no more than 25 percent of the company is owned by a non-craft beverage industry members; and they had to make beer that qualifies as "traditional," meaning that it relies on malted barley and not what brewers consider filler ingredients, like corn and rice.

This definition did not suit MillerCoors, whose CEO Tom Long wrote an Op-Ed on CNN in response. "Based on our size," he wrote, "that definition excluded us, even though we brew some of the most popular craft beers in the marketplace." Except that they don't, because Blue Moon is, by definition, not a craft beer – not just because of MillerCoors' size (it sells

67 billion barrels of beer, compared to the largest craft brewer, Sam Adams, which sells about 2.7 million per year), but also because its so-called craft brand is not independent, as the definition requires. It's owned by MillerCoors. Ipso facto, not a craft beer.

Read the whole story

Editorial: Climate change needs to be part of water policy

Publisher's note: *This editorial is from the Aug. 3, 2013, Sacramento Bee.*

The scene at Folsom Lake isn't pretty, and it's sure to become far uglier if Mother Nature doesn't save the state with a wet winter.

Barring any early storms, the U.S. Bureau of Reclamation expects the lake to fall to one-fourth its capacity, or 241,000 acre-feet, by December. With another dry winter, the lake could drop to what is known as "dead pool" – too low for local water agencies to procure water from it.

More than half a million people in the region depend on Folsom Lake for water, and cold water supplies in the reservoir are crucial for fish downstream, including imperiled steelhead and salmon. The lower the lake drops, the more the anxiety meter rises – alarm that threatens to turn into a serious water battle between local water agencies, the Bureau of Reclamation and the state Department of Water Resources.

Opinion: Don't forget human rights lessons of past Games

By LZ Granderson, CNN

Usually when we talk about the 1936 Olympics in Berlin we focus on two men – Adolf Hitler and Jesse Owens – and rightfully so. They are the two with an undeniable impact on history, albeit in vastly different ways.

But in light of President Obama's recent remarks on "The Tonight Show" denouncing Russia's new anti-gay laws, laws that have led to bloodshed in the streets, it is important that we remember Marty Glickman and Sam Stoller.

They too were at those Games. They too left a mark.

You see, the day before they were scheduled to run in the 400-meter relay, their coach, Dean Cromwell, replaced them.

They were not injured.

They did not break any team rules nor were they disqualified for any violations.

They were, however, Jewish, and this was Nazi Germany, which had adopted the Nuremberg laws limiting Jewish citizens' rights a year earlier. Apparently, Cromwell, along with leaders from the U.S. Olympic Committee, decided it would be best if Glickman and Stoller did not compete.

At the time I'm sure it seemed like a decision that would only

hurt the two men. After all, the 400, led by Owens, still won gold.

Today we know better.

Today we look at that decision and lower our heads in shame, understanding that it made us complicit with something that evolved into a far worse crime than unjustly replacing a pair of sprinters. In the moment when we should have spoken up, we remained silent.

And so here we are again: an Olympics on the horizon, another host country with recently legislated laws persecuting a group of people, and for a while, we were silent. And then Tuesday happened.

"I've been very clear that when it comes to universal rights, when it comes to people's basic freedoms, that whether you are discriminating on the basis of race, religion, gender or sexual orientation, you are violating the basic morality that I think should transcend every country," Obama said, going on to talk about how Russia's treatment of lesbian, gay, bisexual and transgender people goes against the spirit of the Olympics.

He did not call for a boycott.

But on Wednesday he canceled a one-on-one meeting with Russian President Vladimir Putin planned for September. The White House cited Russia's decision to grant asylum to National Security Agency leaker Edward Snowden and "lack of progress on issues such as missile defense and arms control" among other reasons. But it also mentioned human rights issues.

Recently, Secretary of State John Kerry received a letter from 88 members of Congress – Republicans and Democrats – urging him to do something to guarantee the safety of LGBT Americans visiting Russia during that time. That leaves 447 lawmakers we should be asking why they did not sign that letter.

Last month BuzzFeed provided the world photos of LGBT people being violently beaten by anti-gay protesters and police in Russia.

There are reports of LGBT teens being kidnapped, bullied, tortured and killed.

Russian officials have said they don't condone the attacks, but police have stood by while they happened and then arrested the battered victims for being gay. And because it is unclear whether or not the anti-gay laws will be enforced during the Olympics, the safety of all Americans – because you can be arrested if police think you look gay or even if you support gays – is in question.

Which brings me to: Why aren't the names of all 535 members of Congress on that letter?

In talking about the 1936 Olympics, I do not equate what is happening in Russia to what happened to Jewish people during World War II. I just want to remind you that the Holocaust did not happen overnight. It was subtle.

Surgical.

In silence.

These new anti-gay laws are disturbingly similar to the anti-Semitic Nuremberg laws Hitler passed before the 1936 Olympics. And with the Pew Institute finding 84 percent of Russians believe society should reject gay people, perhaps some saying they object to gays for fear of arrest, the world should question how far Russia intends to go.

We should question how far Russia, our lukewarm ally, intends to go and what our participation in the 2014 Olympic Games will look like generations from now.

In one of his final interviews before passing away in 2001, Glickman told the San Diego Jewish Press-Heritage that there

had been some talk of boycotting the 1936 Olympics because of Hitler, but no one foresaw what would happen to the Jews a short time later.

“There is no way in the world that I would think of going to Nazi Germany,” he said. “The Holocaust and those things around Nazi Germany which we all loathe weren’t in existence in 1936.”

No one can predict the future. But last week Obama showed he learned an important lesson from our Olympic past – offering silence to appease evil is a senseless endeavor because evil will never be satisfied. Now it’s our turn to speak up. There are 447 members of Congress who have yet to sign that letter to Kerry – we need to be asking why.

Opinion: It’s time to focus on the middle class

By Barack Obama

Last week, I spoke about what we need to do as a country to build a better bargain for the middle class – to make sure everyone who works hard has a chance to get ahead in the 21st century economy.

You see, over the past 4½ years, America has fought its way back from the worst recession of our lifetimes. We saved the auto industry, took on a broken health care system, invested in new American technologies to reverse our addiction to foreign oil, and changed a tax code too skewed in favor of the

wealthiest at the expense of working families.



President
Obama

As a result, our businesses have created 7.2 million new jobs over the past 40 months. We produce more renewable energy than ever, and more natural gas than anyone. Health care costs are growing at the slowest rate in 50 years. Our deficits are falling at the fastest rate in 60 years.

Thanks to the grit and resilience of the American people, we've cleared away the rubble of crisis and begun to lay a new foundation for stronger, more durable economic growth.

But as any middle-class family will tell you, we're not where we need to be yet. Trends that have been eroding middle-class security for decades – technology that makes some jobs obsolete, global competition that makes others moveable, growing inequality and the policies that perpetuate it – still exist, and in some ways, the recession made them worse.

Reversing these trends must be Washington's highest priority. It's certainly mine. But over the past couple of years in particular, Washington has taken its eye off the ball. An endless parade of distractions, political posturing and phony scandals shift focus from what needs to be done. And as Washington prepares to enter another budget debate, the stakes could not be higher.

If we don't make the investments necessary to make America a magnet for good jobs – in education, and manufacturing, and

research, and our transportation and information networks – we might as well hit the “pause” button while the rest of the world forges ahead in a global economy. And that’s certainly not going to fix what ails the middle class.

Here’s what will: a strategy that builds on the cornerstones of what it means to be middle class in America, and what it takes to work your way into the middle class. Good jobs that pay good wages. An education that prepares our children and our workers for the global competition they’ll face. Homeownership that’s based on a solid foundation, where buyers and lenders play by the same set of rules. Affordable health care that’s there for you when you get sick. A secure retirement even if you’re not rich. More chances for folks to earn their way into the middle class as long as they’re willing to work for it.

Over the next several weeks, in towns across the country, I’ll lay out my ideas in each of these areas. Reversing the forces that have conspired against the middle class for decades will require more than short-term thinking; it will require a long-term American strategy, based on steady, persistent effort.

I know there are members of both parties who understand what’s at stake, and I’m open to ideas from across the political spectrum. But I will not allow gridlock or willful indifference to get in the way of where this country needs to go. The choices that we make now will determine whether or not every American has a fighting chance in the 21st century.

We can do this if we work together. It won’t be easy, but if we take a few bold steps – and if Washington is willing to shake off its complacency and set aside some of the slash-and-burn partisanship we’ve seen in recent years – our economy will keep getting stronger.

And as long as I have the privilege of holding this office, I will spend every minute of every day doing everything in my

power to make this economy work for working Americans again, to build that better bargain for the middle class and to make sure that the American Dream is something that's achievable for everybody – not just today, but for decades to come.

Letter: S. Tahoe rec camp keeps kids moving

To the community,

As part of the statewide celebration recognizing July as “Parks Make Life Better” month, recreation departments throughout the state created programs and campaigns to celebrate the benefits that recreation programs bring to the community. The city of South Lake Tahoe newly branded summer camp program, South Tahoe Adventure Recreation or STAR Camp, aligns directly with the promise of the campaign through the mission to provide an active, healthy and safe environment for youth to learn and play.

During the month of July STAR Camp youth participants were challenged to complete one fitness activity a day for 30 minutes in addition to regular STAR camp adventure activities. Camp leader Gina Locicero is credited with creating and implementing the fitness challenge. Gina created a display identifying each daily activity. Every child who completed the activity each day had his or her name posted on the display.

Scheduled fitness activities included bike riding, jumping jacks, running, pushups and more. Not to worry if a child missed a day of activities; participants were encouraged to participate in the fitness activities while on vacation or outside of a scheduled camp day by having a parent sign off on

the list of activities accomplished.

The motivation and inspiration for fitness spread like wildfire as children began to challenge their peers, parents, and camp leaders to “get fit”.

Recognizing that fitness is more than just exercise, Gina incorporated nutrition goals each day. Children learned about healthy snacks and participated in choosing their own snacks according to nutritional values that benefit lifelong health. One parent shared that her daughter asked her to “buy more fruit at home because she learned that it is a healthier choice”.

The creative approach to making exercise and nutrition fun through the 30-day fitness challenge not only had lasting impacts on young lives but also earned the STAR Camp a Presidential Active Lifestyle Award.

At the conclusion of the challenge STAR Camp leaders hosted a celebration inviting parents to participate in a fitness routine and witness their child receiving their certificate of completion, a T-shirt and individual Presidential Active Lifestyle Award.

Lauren Thomaselli, South Lake Tahoe recreation manager

Opinion: Congress must approve and fund LTRA

By Richard Solbrig

In the summer of 2007, the Angora Fire along Lake Tahoe's South Shore scorched almost 5 square miles and destroyed more than 250 homes. A California-Nevada Tahoe Basin Fire Commission Report issued after the Angora Fire included a finding that, "Much of the Tahoe basin public and private water distribution infrastructure is inadequate to provide fire flows necessary to meet fire codes and fire agency needs."

The Lake Tahoe Community Fire Protection Partnership (partnership), a bi-state collaboration, was formed in response to the report's findings. In 2009, with the active leadership of Sen. Dianne Feinstein the partnership began to implement an infrastructure upgrade program that will deliver enhanced fire protection to our bi-state region. The leadership of the congressional delegation and the U.S. Forest Service has provided \$13 million in federal partnership assistance, leveraging local funding to secure improved fire suppression infrastructure for the region.

The partnership funding delivers improved emergency response capabilities. Partnership accomplishments are numerous and include:

- 80,901 linear feet (15.3 miles) of water line with new fire hydrants every 500 lineal feet that deliver reliable fire fighting response;
- 10 water storage tanks with a 3.8 million gallon storage capacity;
- 5 booster pump stations to increase water supply flow; and
- 6 emergency generators to provide backup energy to deliver water supply should energy disruptions occur.

The partnership illustrates the benefits of collaboration of all the public water systems in the Tahoe basin. The just introduced Lake Tahoe Restoration Act (S.1451) takes the

lessons learned from the partnership and authorizes water infrastructure improvements for fire suppression, as part of a comprehensive strategy to restore and protect the environment in the Lake Tahoe Basin. The partnership applauds the sponsors of this bill – Sens. Feinstein, Boxer, Reid and Heller.

We urge all communities in the Tahoe basin to join with the partnership and support this important legislation that will deliver increased security for the unique ecosystem that is Lake Tahoe.

Richard Solbrig is general manager for the South Tahoe Public Utility District, the lead agency of the Lake Tahoe Community Fire Protection Partnership.

Letter: 8th-grader sponsors Bread & Broth night

To the community,

Patricia Ann Frega, an eighth-grade student at South Tahoe Middle School, was Bread & Broth's Adopt A Day of Nourishment sponsor for the evening meal served on July 29.

This young sponsor is a beacon in the community for stepping up in service to feed the hungry of South Lake Tahoe. Patricia Ann provided the funds and a crew to assist the B&B volunteers to put a hot, nutritious meal of roasted chicken, stuffing, veggie medley, green salad and lots of fresh fruit together.

Patricia Ann and her friend Gail Dulay helped wrap utensils and served the large variety of delicious desserts. Also on Patricia Ann's crew were her mother and father, Patricia and Pat Frega. Her mom and dad helped with "give away" bags and serving the dinner. "We enjoyed serving the community," said Patricia Ann. "There is so much we can do to help the community."

With Patricia Ann's sponsorship, over 125 meals were served and according to Kathi Olsen, the B&B volunteer coordinator and one of the evening's cooks, fun was had by all. Bread & Broth is very honored to have been chosen by Patricia Ann to help her serve the less fortunate. B&B would like to thank Patricia Ann for her donation of time and funding and salute her for her generous spirit and concern for her community.

If you would like to support Bread & Broth's program, please contact me at (530) 542.2876 or carolsgerard@aol.com.

Carol Gerard, Bread & Broth